

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SAMUEL KATZ, individually and on behalf of)	
all others similarly situated)	
)	
Plaintiff,)	Case No. 1:22-cv-05277
)	
v.)	Judge Robert W. Gettleman
)	Magistrate Judge Maria Valdez
ALLIED FIRST BANK, SB; and CONSUMER)	
NSIGHT LLC,)	
)	
Defendants.)	

JOINT MOTION TO MODIFY SCHEDULE

Plaintiff Samuel Katz (“Katz”) and Defendant Allied First Bank, SB, now known as Servbank, SB (“Allied First”) (collectively, the “Parties”), by and through their undersigned counsel, hereby jointly move to modify the schedule for discovery to extend the discovery completion deadline by 90 days. In support of this request, the Parties state the following:

1. On May 8, 2024, this Court set the discovery deadline for October 31, 2024. (ECF No. 68).
2. On May 23, 2024, Allied First moved to join Iconic Results as a party and to amend its answer to assert cross claims against Consumer Nsight. (ECF Nos. 69, 70). Plaintiff responded to the motion to join Iconic Results on June 14, 2024, and Allied First replied in support of its motion to join Iconic Results on June 27, 2024. (ECF Nos. 72, 73, 74). On July 15, 2024, this Court (Hon. Robert W. Gettleman) denied Allied First’s motion to join Iconic Results and granted Allied First’s motion to amend its answer to assert cross claims against Consumer Nsight. (ECF No. 78).

3. On August 5, 2024, Allied First filed its Amended Answer to Plaintiff's First Amended Complaint and asserted a third-party claim against Consumer Nsight. (ECF No. 79). This Court issued Summons upon Consumer Nsight on August 28, 2024. Allied First served Consumer Nsight with the Summons on September 9, 2024. Per agreement between counsel, Consumer Nsight's responsive pleading was due October 25, 2024. On October 25, 2024, Consumer Nsight moved to dismiss Allied First's claims. (ECF Nos. 95, 96.)

4. Katz and Allied First are working in good faith to complete discovery. Written discovery has been exchanged, and documents have been produced by Katz and Allied First. In Consumer Nsight's previous involvement in this case, it responded to written discovery from Katz that was limited to jurisdictional issues, and Consumer Nsight did not produce any documents in response to that discovery or to prior subpoenas. Iconic Results has responded to subpoenas from Katz and Allied First by producing documents. On October 9, 2024, Plaintiff took the corporate representative deposition of Allied First.

5. The Parties need additional time to complete discovery. Allied First is planning to take the deposition of Katz and Iconic Results and will serve discovery requests on Consumer Nsight. Katz also anticipates additional discovery.

6. Accordingly, to accommodate the anticipated additional discovery, the Parties' counsel conferred and seek to amend the discovery schedule. Specifically, Katz and Allied First request that the discovery deadline be extended an additional 90 days to and including January 31, 2025.

7. The instant Joint Motion to Modify Scheduling Order Deadlines is made in good faith, is not made for the purposes of delay, and will not prejudice the interests of any party.

Consumer Nsight is contesting personal jurisdiction against it in this action, and it does not take a position as to this request.

WHEREFORE, for the foregoing reasons and for good cause demonstrated above, Katz and Allied First respectfully request an extension to the discovery deadline to and including January 31, 2025.

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